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**TRANSMITTAL
FORM**(to be used for all correspondence after initial
filing)

Application Number 09/854,847

Filing Date 05/14/01

First Named Inventor Mathur

Group Art Unit 1631

Examiner Name C. L. Smith

Total Number of Pages in This
Submission

3

Attorney Docket Number LEX-0173-USA

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ENCLOSURES (check all that apply)

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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	return postcard
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<input type="checkbox"/> Response to Missing Parts	Remarks	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

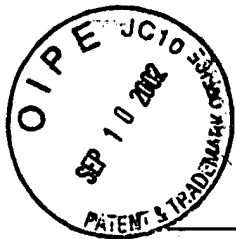
Firm or Individual name	Lance K. Ishimoto, Reg. No. 41,866 Lexicon Genetics Incorporated
Signature	Lance K. Ishimoto by David W. Huber David W. Huber Reg. No. 41,071
Date	September 4, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202 on this date: September 4, 2002

Typed or printed name	Nancy Stacey
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mathur *et al.*

Group Art Unit: 1631

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Application No.: 09/854,847

SEP 12 2002

Filed: May 14, 2001

Examiner: C. L. Smith

TECH CENTER 1600/2900

Title: Novel Human Lipocalin Homologs and

Polypeptides Encoding the Same

Attorney Docket No.: LEX-0173-USA

#9
Plunkett
9/15/02

RESPONSE TO SEQUENCE ELECTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

The Examiner is respectfully requested to accept the following response to the Sequence Election Requirement mailed August 7, 2002 (Paper No. 8), to consider the remarks therein.

Response to Sequence Election Requirement

In response to the Sequence Election Requirement mailed August 7, 2002 (Paper No. 8), Applicants elect, pursuant to 35 U.S.C. § 121, the species of the polynucleotide encoding SEQ ID NO: 2 for initial examination on the merits. Applicants note for the record that SEQ ID NO: 1 is a polynucleotide encoding SEQ ID NO: 2. Applicants understand their species election is being made solely to expedite examination of the application, and that they are entitled to consideration of additional species upon allowance of a generic claim. Applicants reserve the right to refile claims to the non-elected inventions in one or more future applications retaining the priority date of the present case and the earlier cited priority applications.

Although Applicants believe that no additional fees are due in connection with this response, the Commissioner is authorized to charge any underpayment or credit any overpayment required with this response to Deposit Account No. 50-0892.

Conclusion

The present document is a complete response to the Sequence Election Requirement. Applicants believe that the claims of the instant application meet all of the conditions for patentability and are in condition for allowance. Accordingly, an early indication of the same is respectfully requested. Should the Examiner have any questions or comments a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,

09/04/02

Date

Lance K. Ishimoto by David W. Huber *DAVID W. HUBER*
Reg. No. 41,866
Lance K. Ishimoto Reg. No. 41,866

LEXICON GENETICS INCORPORATED
(281) 863-3333



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